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C O N F I D E N T I A L SECTION 01 OF 03 NIAMEY 000935

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SUBJECT: NIGER: OPPOSITION MEMBERS PAY CALL AT EMBASSY

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Classified By: Ambassador Bernadette M. Allen, Reason: 1.4 (d)

¶1. (C/NF) Summary: On November 20, opposition Nigerien Party for Democracy and Socialism (PNDS) Vice President (VP) Bazoum Mohamed and PNDS Deputy Secretary General (DSG) Assoumi Massaoudou provided a read-out of the November 11-13 meetings that Economic Community of West African States (ECOWAS)-appointed mediator Abdoulsalami Abubakar held with Opposition members and a Government of Niger (GON) delegation in Abuja. The PNDS is the primary opposition party. PNDS leaders stated willingness to negotiate with the GON, provided basic civil liberties are restored in Niger and the current constitution (Sixth Republic) is annulled. Bazoum stated the Opposition would even consider agreeing to President Tandja's staying in power for a brief transition period to permit the scheduling and holding of elections, but added the condition that President Tandja not contest for re-election. End summary.

Diversity of Opposition Possibly Distraction

¶2. (SBU) On November 20, PNDS VP Bazoum and DSG Massaoudou called on Ambassador Allen; the Deputy Chief of Mission and Political Officer (note taker) also participated in the meeting. The discussion covered the November 11-13 ECOWAS meeting in Abuja, current developments in Niger and a way out of the current political impasse.

¶3. (SBU) Bazoum voiced concern that the broad diversity of opposition members may create confusion and give the impression of an incoherent argument to contest the political status quo. The Coordination of Forces for Democracy and the Republic (CFDR), a coalition of political parties, civil society organizations, and trade unions represented the Opposition in Abuja. Bazoum noted that four principal leaders representing the Opposition were present, including a former Prime Minister (PM)/current Movement for the Defense of Democracy of the Republic (MDDR) president Mahamane Ousmane, Front for the Defense of Democracy (FDD) president Mahamadou Issoufou, Front for the Restoration of Democracy (FRD) president Elhadj Mahamane Hamissou, former PM/ruling party National Movement for a Society of Development (MNSD) president Hama Amadou, and Labor Confederation leader Soumaila Bagna.

Opposition Outlines Genesis of Crisis; Negotiation Pre-conditions

¶4. (SBU) Bazoum stated that on the first day of meetings in Abuja, the Opposition submitted a communique containing the

genesis and status of the political crisis in 2009. He stated that he was "pleased with the fact that their delegation was able to stay on message and leave a good impression at the Abuja meeting." He added the Opposition is pleased with, respects and trusts the ECOWAS-designated mediator for Niger, former Nigerian head of state General Abdoulsalami Abubakar. He praised Abubakar for "having left office in Nigeria gracefully."

15. (SBU) Bazoum laid out the conditions under which the Opposition would negotiate with the GON. He stated the GON must restore citizens' rights, including freedom of speech, freedom of assembly and the right to obtain permits to hold rallies or political demonstrations. He added that the GON must stop its intimidation, such as detention of opposition members, arrests of journalists, threats to close media outlets and other menacing acts.

16. (SBU) Bazoum insisted that the GON must return to the constitutional order of the Fifth Republic, annul the results of the October 20 legislative elections and reinstate the members of the dissolved Constitutional Court. Bazoum contended that "Article 53 of the previous constitution was interpreted erroneously." He reiterated that actions taken by President Tandja under the Sixth Republic must not go forward. He called for new legislative elections, but did not insist that the former National Assembly (Fifth Republic) be reinstated.

December 22 Fast Approaching

17. (C/NF) Bazoum suggested that the best way out of the political quagmire is to establish a transitional government, containing Opposition and GON members, to draft a new

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constitution to protect the rule of law and democracy. He acknowledged that it is already too late to hold presidential elections in December; consequently, he said many within the Opposition would accept President Tandja's remaining in office up to six months during a transitional period leading up to new elections. Bazoum argued that Niger is used to transition periods, and cited as examples Nigerien history during the years of 1992, 1997 and 1999. He opined, "this would be a way for President Tandja to save face." He suggested that President Tandja could sign a "judicial ordinance" to remain as Chief of State and, concluded that ECOWAS could ensure that President Tandja honored any potential agreement.

18. (C/NF) Ambassador Allen pressed Bazoum for further details regarding a possible "transition period" and whether President Tandja would be allowed to contest in the proposed Presidential election. Bazoum emphatically replied that it would under no circumstances be acceptable for President Tandja to contest in a future Presidential election. (Note: Bazoum added that the idea of a transitional government with President Tandja remaining in power an additional six months had not been discussed with the ECOWAS-mediator because not everyone in the opposition had agreed to such a possibility. End note.) Bazoum said the Opposition members could live with President Tandja's remaining in office up to six more months, a shorter time period would be preferable. When asked about the October 20 National Assembly results, Bazoum responded that the Opposition does not recognize the elections and want the results annulled.

19. (SBU) Bazoum noted the impasse on finding a venue for possible future negotiations between the Opposition and the GON. The GON insists that negotiations take place in Niger; the Opposition wants negotiations held in Abuja, but is willing to hold meetings in a neutral site, preferably in neighboring West African state. Bazoum contended that the GON would manipulate any negotiations held in Niger. He added that the two international arrest warrants issued against for PM Hama Amadou and former National Assembly

President Mahmane Ousmane had yet to be rescinded. He stated, "If they (Amadou and Ousmane) returned to Niger, the GON would be quick to arrest them." He said ECOWAS-Mediator Abubakar had broached the idea of a ceremony in Niger to launch negotiations with the plan to hold them outside of Niger and responded that the Opposition may find that acceptable.

Pressure from International Community Must Continue

¶10. (SBU) Bazoum stated that pressure from the international community should continue. He stressed that President Tandja must realize that the international community is serious, and would not be manipulated. Bazoum called on the international community at large to dissuade President Tanja from any attempt to maintain power beyond December 22, his term in office prior to the newly adopted constitution. "The international community should not just look on," he added. If the European Union and other donors discontinued aid, he acknowledged that President Tandja would bank on alternative financial donors (e.g., Libya, China, Venezuela and Iran), but believed it would be a blow to see traditional partners restrict assistance.

PM Manipulated; GON Lacks Respect for Peace Process

¶11. (C/NF) When the Ambassador asked Bazoum his views on newly-appointed PM Ali Badjo Gamatie and his efforts to negotiate with the Opposition, Bazoum responded that he believes Gamatie is a kind individual. He said Gamatie initially embarked on a "noble cause, but is now being manipulated by President Tandja and is nothing more than a mouthpiece for President Tandja." Bazoum stated Gamatie wanted to use the National Commission for Political Dialogue (CNDP) as a platform to negotiate with ECOWAS and to demonstrate that Niger could solve its own problems. Bazoum, however, rejected the proposal, stating that CNDP's mandate is useful when there is cohesion between the GON and the Opposition, which currently is not the case.

¶12. (SBU) Bazoum expressed disappointment in the delegation that President Tandja sent to Abuja, calling it a clear indication that President Tandja is not taking negotiations seriously. He stated that President Tandja purposefully

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chose to send representatives to Abuja without a clear, official mandate, knowing that they would have very little room to negotiate, much less authority to make official commitments. He added that President Tandja continues to multiply obstacles for the opposition.

¶13. (C/NF) Comment: Bazoum's meeting provided insight on the possible avenue to launch negotiations and areas to negotiate agreement between the two sides, but there is no indication of when negotiations would begin. Exploring possibilities, such as a transitional government, would involve risks for both sides; however, it does offer a potential way out of the current political impasse. End comment.

ALLEN